

**REMARKS**

Claims 1-12, 14-22, 24 and 25 are pending in the application. Claims 1, 12, and 15 have been amended to improve readability. Claim 1, lines 10 and 11 and claim 8 have been amended to correct typographical errors submitted in a previous response. Claims 16, 17, 24, and 25 have also been amended. Support for the amendments to claims 16, 17, 24, and 25 can be found, *inter alia*, in FIG. 6 and the discussion thereof.

**Allowable Subject Matter**

Applicants acknowledge the Examiner's indication that claim 1 is allowed in the previous Office Action. However, Applicants further submit that claims 2-12, 14 and 15 are also allowed, and request the Examiner to indicate the allowability of those claims in the next Office Action.

**Claim Rejections**

Claims 16-22, 24 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sporre (U.S. Patent 5,966,657), in view of Genell, et al. (U.S. Patent No. 6,122,505). This rejection is respectfully traversed.

Applicant submits that Sporre fails to teach or suggest a method of making operational measurements in a wireless communication system, comprising at least the step of a) sending a measurement request from a first base station to a plurality of base stations, said measurement request requesting said plurality of base stations to make operational measurements of a signal transmitted by said first base station; and b) making said operational measurements at said plurality of base stations as in independent claim 16.

The Examiner admits on page 2 of the Office Action that Sporre does not disclose a second base station receiving a measurement request from a first base station to make operational measurements of at least one signal transmitted from the first base station. This being so, Applicants assert that Sporre, additionally, cannot disclose sending a measurement request from a first base station to a plurality base stations, said measurement request requesting said plurality of base stations to make operational measurements of a signal transmitted by said first base station as in independent claim 16.

Applicant asserts that Genell et al. does not make up for the deficiencies of Sporre. Genell et al. disclose, referring to FIG. 1 and Col. 4, that a BTS 20 may be placed in a test mode by a test command issued by another BTS 20, which may broadcast the test command using control channels. For testing a receiver path, a tested BTS, operating in the normal operating mode, receives test signals transmitted from a testing BTS 20, preferably, a neighboring BTS 20, over an uplink RF channel. The tested BTS 20 then reports the results of its reception to a BSC 16. For testing the transmitter path, the tested BTS 20 transmits test signals to the testing BTS 20 over a downlink channel, with the testing base station reporting its reception results to the BSC 16. The BSC 16 then routes the test results to the MSC 14 for further processing, which may include comparisons with various test thresholds. In this way, the communication system 10 uses its own resources to test the receive and transmit capabilities of the BTS 20, thereby reducing operating cost to the operator.

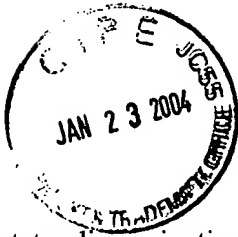
Initially, Applicant asserts that while Genell et al. teach that the communication system 10 uses its own resources to test the receive and transmit capabilities of the BTS 20, each BTS is tested one at a time such that the BTSs are not providing measurement information regarding the

same signal. Instead, throughout the disclosure of Genell et al., Genell et al. disclose that only one (1) BTS is testing a signal at one time (Col. 4, lines 48-59). The assertion that Genell et al. disclose that only ones BTS is testing a signal at one time is also supported by Genell et al. in that Genell et al. disclose that a receive and transmit testing occurs between a testing BTS and a tested BTS. Because Genell et al. disclose that the tests are performed on BTSs one at a time, it is not possible in the system of Genell et al. for a plurality of base stations to make operational measurements of a signal transmitted by a first base station as in claim 16. Therefore, Genell et al. cannot disclose or suggest a method of making operational measurements in a wireless communication system, comprising at least the step of a) sending a measurement request from a first base station to a plurality of base stations, said measurement request requesting said plurality of base stations to make operational measurements of a signal transmitted by said first base station; and b) making said operational measurements at said plurality of base stations as in independent claim 16.

Accordingly, the Examiner has not explicitly identified any passage or teaching in the three references which teaches or suggests the sending feature recited in independent claim 16. Withdrawal of the rejections of each of claims 16-22, 24 and 25 is therefore earnestly solicited.

### **CONCLUSION**

Prompt and favorable consideration of this Reply is respectfully requested. All of the stated grounds of rejection have been properly traversed, accommodated, and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently



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outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone Gary Yacura (Reg. No. 35,416) at (703) 668-8000 in the Northern Virginia area.

Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application, and the required fee of \$110.00 is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

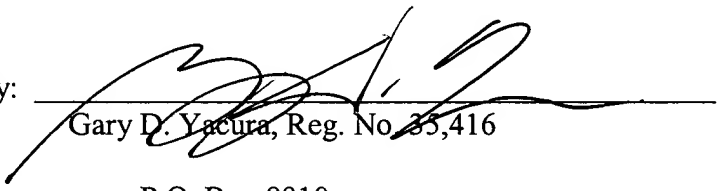
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JAN 30 2004

Respectfully submitted,

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